


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

DATE: JAN 12 2015

SUBJECT: Removal Site Evaluation for the Katzman, N. & Co. Site, Utica, Oneida County, New York
(CERCLIS No. NYN000206655)

FROM: Kimberly Staiger, On-Scene Coordinator
Removal Action Branch 

TO: Joseph Rotola, Chief
Removal Action Branch

Introduction

The United States Environmental Protection Agency (EPA) Region II Removal Action Branch (RAB) has been requested by the EPA Special Projects Branch (SPB) Pre-remedial Section to conduct a Removal Site Evaluation (RSE) at the Katzman, N. & Co. Site (Site), a site which has been determined "Not Valid Site or Incident." This determination signifies that the site is not considered to be a hazardous waste site or an unanticipated removal (incident) by EPA, and that no further action will be conducted by EPA for the property under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) unless new information warranting further Superfund consideration or conditions not previously known to EPA regarding the Site are disclosed. As of December 4, 2012, EPA had determined that the Site was not recognized as a valid site under the Federal Superfund program.

The Site was included on a list of hundreds of locations nationwide where secondary lead smelting or alloying may have been conducted between 1931 and 1964, according to entries in historical trade publications. The list was originally compiled by William P. Eckel in a doctoral dissertation for George Mason University, and the research was summarized in the article "Discovering Unrecognized Lead-Smelting Sites by Historical Methods" (Eckel et al, 2001). In total, 89 of the sites on this list are in New York State. The New York State Department of Environmental Conservation (NYSDEC) assessed the majority of the sites and ultimately referred 40 of these sites to EPA for further assessment. The EPA SPB screened these sites in fall 2012 and recommended a "Not Valid" determination for the Site.

Site Description and Background

The Site property is reported to be physically located at 115 Broadway in Utica, Oneida County, New York, as indicated in the Eckel report. The subject property is currently vacant commercial

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land owned by Charles Street Property Management, Inc. and is being used for vehicle parking. The property encompasses approximately 0.16 acres located in a mixed light industrial/residential neighborhood in Utica. Utica is a city in the Mohawk Valley and the county seat of Oneida County with a population of 62,235 at the 2010 census.

According to Polk City Directories, from 1939 to at least 1950, Katzman N & Co. was a junk dealer located at 115-117 Broadway in Utica, NY. The Utica City Directory lists Nathan Katzman and J. Hyman Katzman as dealers in Scrap Iron and Metals. No historical references can be found indicating that a smelter operated on the referenced property.

Site assessment activities/observations

The Pre-Remedial site files, which included a Pre-Comprehensive Environmental Response, Compensation and Liability Information System Screening Form, historic Sanborn maps and city directories, were reviewed as part of this RSE. In addition, an internet search for historic articles and photographs was conducted, and historic aerial photographs and online property records (including Certificates of Occupancy) were reviewed.

A Site reconnaissance was conducted by RAB on August 21, 2014. The property located at 115-117 Broadway is vacant, undeveloped land that is unfenced and accessible to the public. The ground surface is covered with patchy grass and is being used as an unpaved parking area for several vans. The Site property is bordered to the east by a residential property and a church backyard used for recreational purposes, to the west by Tartan Textiles, to the south by a paved parking lot for the Utica police department and courthouse, and to the north by a vacant undeveloped property that is located on the corner of Broadway and Whitesboro Street.

Sanborn Maps obtained for the address show that, as early as 1884, buildings were located on the subject property; however, by 1970, the subject property was vacant undeveloped land that appears much as it does today. According to Sanborn maps it appears that 115 Broadway and 117 Broadway are one tax lot, with a hides and junk dealer and associated junkyard operating out of 115 Broadway, and a brass foundry operating out of the 117 Broadway property from at least 1925 until sometime after 1952.

An advertisement for N. Katzman & Co. located at 115 Broadway in the Utica Daily Press dated August 3, 1932 states "Convert your old gold and silver into cash. We are paying full value for it." Another clipping in the Utica Observer dated April 26, 1936, has an advertisement for "N. Katsman & Co." located at 115 Broadway stating "gold, silver plated, gold plated, watches, chains, rings, bracelets and usable watch movement wanted". A newspaper clipping from the Utica Morning Telegram dated November 11, 1927 has an advertisement for "N. Katsman & Co." located at 115 Broadway stating "raw furs wanted".

The advertisements indicate that N. Katzman & Co (aka N. Katsman & Co.) was possibly a pawn broker and/or junk dealer during the years of operation at the Site property, and not a lead smelting facility. According to the Utica Historical Society, no information is available on the brass foundry that operated out of the 117 Broadway property.

A legal notice in the December 19, 1969 edition of the Utica Daily Observer states that the property at 115 Broadway will be condemned under eminent domain. The 1970 Sanborn maps show that no structures are located on either the 115 or 117 Broadway properties. Both properties are currently undeveloped vacant land that is being utilized as a parking area.

Conclusion

According to historical evidence, the Site property at 115 Broadway has been utilized as a pawn broker and junk yard, while the 117 Broadway had formerly been utilized to house a Brass Foundry. There is no clear evidence available indicating that smelting occurred at this property.

Since there is no evidence to indicate that a smelter was ever present on-site or that a release occurred, there is no foreseeable threat to public health, welfare or the environment with respect to a release of smelting emissions from the Site. The available information does not indicate that a release of CERCLA-designated hazardous substances (as defined in section 101(14) of CERCLA, 42 U.S.C. § 9601) has occurred at the Site.

Based on available information, the Site does not warrant a CERCLA removal action at this time.

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R2 Records Center